



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB2461

Introduced 02/17/05, by Rep. Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

320 ILCS 65/10
320 ILCS 65/15

Amends the Family Caregiver Act. Makes the Act applicable to family caregivers for adults over age 18 who are disabled. Effective immediately.

LRB094 09552 DRJ 39803 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning aging.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Family Caregiver Act is amended by changing
5 Sections 10 and 15 as follows:

6 (320 ILCS 65/10)

7 Sec. 10. Legislative intent. It is the intent of the
8 General Assembly to establish a multi-faceted family caregiver
9 support program to assist unpaid family caregivers and
10 grandparents or other older individuals who are relative
11 caregivers, who are informal providers of in-home and community
12 care to older individuals, ~~or~~ children, or adults with
13 disabilities.

14 Services provided under this program shall do the
15 following:

16 (1) Provide information, relief, and support to family
17 and other unpaid caregivers of older individuals, ~~and~~
18 children, and adults with disabilities.

19 (2) Encourage family members to provide care for their
20 family members who are older individuals, ~~and~~ children, and
21 adults with disabilities.

22 (3) Provide temporary substitute support services or
23 living arrangements to allow a period of relief or rest for
24 caregivers.

25 (4) Be provided in the least restrictive setting
26 available consistent with the individually assessed needs
27 of older individuals, ~~and~~ children, and adults with
28 disabilities.

29 (5) Include services appropriate to the needs of family
30 members caring for older individuals, including older
31 individuals with dementia, and children, and adults with
32 disabilities ~~including older individuals with dementia.~~

1 (6) Provide family caregivers with services that
2 enable them to make informed decisions about current and
3 future care plans, solve day-to-day caregiving problems,
4 learn essential care giving skills, and locate services
5 that may strengthen their capacity to provide care.

6 (Source: P.A. 93-864, eff. 8-5-04.)

7 (320 ILCS 65/15)

8 Sec. 15. Definitions. In this Act:

9 "Adult with disabilities" means an individual who is over
10 18 years of age and disabled.

11 "Caregiver" or "family caregiver" means an adult family
12 member, or another individual, who is an informal provider of
13 in-home and community care to an older individual, or a
14 grandparent or older individual who is a relative caregiver.

15 "Child" or "children" means an individual or individuals 18
16 years of age or under.

17 "Department" means the Department on Aging.

18 "Eligible participant" means a family caregiver or a
19 grandparent or older individual who is a relative caregiver.

20 "Family caregiver support services" includes, but is not
21 limited to, the following:

22 (1) Information to caregivers about available
23 services.

24 (2) Assistance to caregivers in gaining access to the
25 services.

26 (3) Individual counseling, organization of support
27 groups, and caregiver training for caregivers to assist the
28 caregivers in making decisions and solving problems
29 relating to their caregiving roles.

30 (4) Respite care to enable caregivers to be temporarily
31 relieved from their caregiving responsibilities.

32 (5) Supplemental services, on a limited basis, to
33 complement the care provided by the caregivers.

34 (6) Other services as identified by the Department and
35 defined by rule.

1 "Frail individual" means an older individual who is
2 determined to be functionally impaired because the individual
3 (i) is unable to perform ~~from~~ at least 2 activities of daily
4 living without substantial human assistance such as,~~including~~
5 verbal reminding, physical cueing, or supervision or (ii) due
6 to a cognitive or other mental impairment, requires substantial
7 supervision because the individual behaves in a manner that
8 poses a serious health or safety hazard to the individual or to
9 another individual.

10 "Grandparent or older individual who is a relative
11 caregiver" means a grandparent or step-grandparent of a child
12 or an adult with disabilities, or a relative of a child or an
13 adult with disabilities by blood or marriage, who:

14 (1) lives with the child or the adult with
15 disabilities;

16 (2) is the primary caregiver for the child or the adult
17 with disabilities because the ~~child's~~ biological or
18 adoptive parents of the child or the adult with
19 disabilities are unable or unwilling to serve as the
20 primary caregiver for the child or the adult with
21 disabilities; and

22 (3) has a legal relationship to the child or the adult
23 with disabilities, such as legal custody or guardianship,
24 or is raising the child or caring for the adult with
25 disabilities informally.

26 "Informal provider" means an individual who is not
27 compensated for the care he or she provides.

28 "Older individual" means an individual who is 60 years of
29 age or older, except for a grandparent or older individual who
30 is a relative caregiver.

31 "Respite care" means substitute supports or living
32 arrangements provided on an intermittent, occasional basis.
33 The term includes, but is not limited to, in-home respite care,
34 adult day care, child care, and institutional care. The term
35 also includes respite care as defined in Section 2 of the
36 Respite Program Act to the extent that such services are

1 allowable and participants are eligible under the National
2 Family Caregiver Support Program.

3 (Source: P.A. 93-864, eff. 8-5-04.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.